

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CR-00893-AGF-PLC
)	
FRANKLIN GAUT II,)	
)	
Defendant.)	

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Gregory M. Goodwin, Special Assistant United States Attorney for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with being a Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g), an offense for which a maximum 10-year imprisonment is prescribed under Title 18.
2. According to St. Louis Count Police Department Report #19-7030, at approximately 12:48 a.m. on February 11, 2019, officers with the St. Louis County Police Department were on patrol when an officer was dispatched for report of a suspicious vehicle. When officers arrived, they saw a pickup truck that was running with its lights off and a license plate with no reflective material. Defendant was found to be only occupant in the vehicle. Defendant told officers he was at the location to pick up a friend, but he was unable to tell the officers where his friend was staying. During the stop, Defendant appeared nervous. Defendant was asked to exit the vehicle and eventually complied. When officers attempted to take Defendant into custody, Defendant physically resisted. Officers found Defendant in possession of

controlled substance, knives, and a pistol located inside the pickup truck. The pickup truck had previously been reported as stolen, and had a broken window in addition to a missing stereo.

3. According to preliminary information provided to the Government, Defendant was found in possession of two firearms and a large quantity of a substance believed to be methamphetamine when he was taken into custody on charges that include the warrant issued in this case. The Government reserves the right to supplement this portion of the detention motion when final police reports become available. The preliminary information provided to the Government may be found in the bail report. [Doc. 11 at 5–6]

4. According to additional preliminary information provided to the Government, there have been multiple full orders of protection taken out against Defendant. This information may also be found in the bail report. [Doc. 11 at 5]

5. Defendant has a significant criminal history. Defendant has been arrested for Robbery 1st Degree, Stealing Felony, Tampering Vehicle 1st Degree, Unlawful Possession of a Firearm, Possession of Controlled Substance, Resisting/Interfering with Felony Arrest, Burglary 2nd Degree, Stealing Misdemeanor, Possession of Drug Paraphernalia, Assault, and Stealing a Motor Vehicle. In addition, Defendant has multiple felony convictions. Defendant pleaded guilty in 2016 to three felony counts of possession of a controlled substance in three different cases across two counties (15OS-CR00375-01; 16OS-CR00021; 16GA-CR00069-01). Defendant completed parole in those cases in September, 2018, only four months before he committed this offense.

6. Detention is appropriate in this case. Defendant has a history of arrests for violent felonies and weapon offenses. The circumstances surrounding his November 9, 2019 arrest demonstrates that Defendant has a history of possessing firearms and controlled substances at the same time. This history and the facts and circumstances surrounding this charge demonstrates that there is a serious danger to the community that would be posed by the Defendant's release.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial,

and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Gregory M. Goodwin
Gregory M. Goodwin, #65929MO
Special Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2019, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system all counsel of record.

/s/ Gregory M. Goodwin
GREGORY M. GOODWIN, #65929MO
Special Assistant United States Attorney